IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

INCOME TAX APPEAL NO.634 OF 2003

The Commissioner of Income Tax,
Mumbai city-IX, Mumbai Appellant

vs.

M/s.Shakti Insultated Wires P. Ltd. Respondent

Mr.B.M.Chatterjee with Mr.V.H.Kantharia i/b.
Mr.S.S.Sarkar for the appellant.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 28th October 2004

P.C.

Heard Mr.B.M.Chatterjee, the learned counsel for the revenue.

2. The Tribunal appears to have allowed the deduction of bonus paid by the assessee for the assessment year 1988-89 because there was settlement between the assessee (employer) and the Union representing employees though the said settlement was entered into after the close of the concerned accounting year. The Tribunal accepted the argument of the assessee that though the date of settlement was after the close of accounting year but that would not affect the accrual of liability for the relevant accounting year. We do not find any illegality in the approach of the Tribunal.

3. No substantial question of law arises.

4. Dismissed in limine.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)